

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION OR :
REVOCATION OF THE LICENSE OF :
:
:
KRISTIN P. CANTRELL, RN : ADMINISTRATIVE ACTION
Formerly KRISTIN P. MASSEY, RN :
License No. 26NR14356400 : FINAL ORDER OF
:
DISCIPLINE
:
TO PRACTICE NURSING IN THE STATE :
OF NEW JERSEY :

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Kristin P. Cantrell¹ ("Respondent") is a Registered Professional Nurse (RN) in the State of New Jersey and has been a licensee at all times relevant hereto.

¹ Pursuant to Respondent's request, Board records were updated on January 5, 2015 to reflect Respondent's name change from Kristin P. Massey to Kristin P. Cantrell. Board records were also updated with Respondent's new address.

2. Upon receipt of a flagging notice advising that Respondent was arrested on July 26, 2012 by the Hamilton Township Police Department for violation of N.J.S.A. 2C:12-1(a)(2), Simple Assault, the Board sent a letter of inquiry, requesting certain information and submission of documents, to Respondent's address of record in Mays Landing, New Jersey, via regular and certified mail on or about July 30, 2012. Both mailings were returned to the Board as "not deliverable as addressed - unable to forward."

3. Respondent did not respond to the Board's request for information.

CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's request for information constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2 and 1.3, in violation of N.J.S.A. 45:1-21(e), subjecting Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

Respondent's failure to provide the Board with a valid address constitutes a violation of N.J.A.C. 13:37-5.7.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking a suspension and a two hundred dollar (\$200) civil penalty was entered on December 10, 2012. Copies were served upon Respondent via regular and

certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless Respondent requested a modification or dismissal of the stated findings of fact and conclusions of law by setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

The regular mailing of the Provisional Order was returned with the notation "no longer at this address, attempted not known." The United States Postal Service indicates that the certified mailing was returned with no notation as to the reason for return. Although service could have been deemed effective because the Provisional Order had been mailed to the address provided by Respondent, and Respondent had failed to update her address in accordance with Board regulation, the Provisional Order was never finalized by default. In 2014, Respondent updated her address with the Board. The Provisional Order was reserved to Respondent's address via certified and regular mail with a cover letter stating that she had 30 days from the date of the cover letter, October 30, 2014, to respond.

Respondent received the Provisional Order and timely

replied by providing all the information requested in the Board's original letter of inquiry from July 2012. Respondent provided evidence that the charge had stemmed from a domestic incident with an elderly combative relative and was dismissed. Respondent also updated her name and her address again.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was not persuaded that the submitted materials merited further consideration, as Respondent did not dispute the findings of fact or conclusions of law. Inasmuch as Respondent provided the information originally requested, the Board determined that suspension was no longer warranted. However, the Board determined that Respondent's failure to respond to the original inquiry, thereby necessitating the filing of the Provisional Order of Discipline, and review of Respondent's subsequent reply years later, warrants imposition of a two hundred dollar (\$200) civil penalty.

ACCORDINGLY, IT IS on this 23rd day of April, 2015,
ORDERED that:

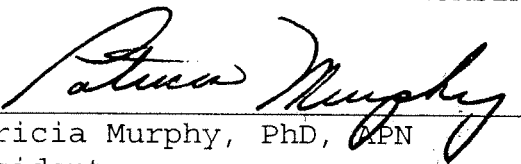
1. A civil penalty in the amount of two hundred dollars (\$200) is imposed upon Respondent. Payment shall be made by certified check, bank cashier check, or money order payable to

"State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than fifteen (15) days after the date of filing of this Final Order of Discipline. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

2. Nothing herein precludes the Board from taking action on information provided by Respondent in reply to the Board's letter of inquiry or upon any other information the Board receives, including information pertaining to continuing education.

NEW JERSEY STATE BOARD OF NURSING

By:


Patricia Murphy, PhD, APN
President